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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,928	06/12/2000	Randy B. Osborne	042390.P7483	3692

7590

04/02/2004

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EXAMINER

PATEL, NIMESH G

ART UNIT

PAPER NUMBER

2112

DATE MAILED: 04/02/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

58

Office Action Summary

Application No.

09/591,928

Applicant(s)

OSBORNE ET AL.

Examiner

Nimesh G Patel

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/17/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-25 is/are allowed.
- 6) ☒ Claim(s) 1, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 2-9 and 12-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Gulick et al.('782).

3. Regarding claim 1, Gulick discloses an agent connected to a second agent through a half duplex point to point interface(Figure 3). Gulick further discloses the first agent transmitting a signal via a first component(Figure 3, DB) indicating what type of access(Column 9, Lines 19-21, wherein the access is a read or write access) and the second agent transmitting a signal via the first component(Figure 3, DB) indicating what type of access(Column 9, Lines 19-21, wherein the access is a read or write access).

4. Regarding claim 10, Gulick discloses a memory control hub(Figure 3, 301) that is connected to an input/output hub(Figure 3, 303) via a half duplex point to point interface. Gulick further discloses the MCH transmitting a signal via a first component(Figure 3, DB) indicating what type of access(Column 9, Lines 19-21, wherein the access is a read or write access).

5. Regarding claim 11, Gulick discloses the ICH transmitting a signal via the first component(Figure 3, DB) indicating what type of access(Column 9, Lines 19-21, wherein the access is a read or write access).

Response to Amendment

Art Unit: 2112

6. The declaration filed on February 17, 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the Gulick('782) reference.

7. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Gulick reference. Applicant appears to be relying on Exhibit A as proof of reduction to practice. Reduction to practice is established by showing that the apparatus actually existed and worked for its intended purpose. Each exhibit should be specifically referred to in the declaration, in terms of what is relied upon to show. The declaration and exhibit must clearly explain which facts or data applicant is relying on to show completion of his or her invention prior to the reference date.

Allowable Subject Matter

8. Claims 2-9, and 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-9 and 12-15 are allowable because the prior art does not show that the point to point half duplex signal indicates a best-effort or critical request.

Claims 16-25 are allowable because the prior art does not show the first agent requesting a critical access to a point to point half duplex interface, as argued by the applicant on page 9 of the amendment filed on October 3, 2003.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G Patel whose telephone number is 703-305-7583. The examiner can normally be reached on M-F, 8:30-6:00.


Art Unit: 2112

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.

Nimesh G Patel
Examiner
Art Unit 2189

NP NP
March 29, 2004


Glenn A. Auve
Primary Patent Examiner
Technology Center 2100